

**RFP-5-62**  
**ATTACHMENT D**

**VENDOR SCOPE OF SERVICES**

The purpose of this solicitation and resulting contractual services is to update the MBE and WBE utilization disparity study conducted by the IDOA in the late 1990's, and to conduct a statistical analysis of utilization of DBE, WBE, and MBE's for each of the seven (7) SEI's, individually, in compliance with the requirements set forth in IC 4-13-16.5-2 and Title 25 of Indiana Administrative Code (IAC), Article 5, specifically 25 IAC 5.

**Services to be Provided:**

1. To assess the extent of utilization and availability of MBE's and WBE's as prime contractors and subcontractors in the procurement of professional services, contractual services, supplies and public (federal and state funded) construction work by state agencies, the Indiana Gaming Commission (IGC) and separately for each SEI, taking into account the separate statutory framework applicable to SEI's and the separate purchasing and contracting requirements of each SEI.
2. To evaluate the effectiveness and legality of existing programs, policies and practices utilized by state agencies and separately by each SEI, and their impact on the utilization of MBE's and WBE's when compared to their availability as prime contractors and subcontractors in the procurement of professional services, contractual services, supplies and public (federal and state funded) construction work. This evaluation should include INDOT's DBE program, IDOA's and IGC's MBE and WBE programs, and the separate MBE and WBE programs used by each SEI.
3. To investigate and describe prevailing practices in the public and private sectors that could lead to an underutilization of MBE's and WBE's, if such exists.
4. To document from statistical and anecdotal evidence the extent to which current availability of MBE's and WBE's may reflect past discrimination, with such documentation provided separately for each SEI.
5. Determine and evaluate the most relevant and appropriate time period(s) on which to base the fact-finding disparity studies.
6. Determine and evaluate the availability of DBE, MBE and WBE firms in the State's geographic areas, marketplace, and types of procurement/contracting opportunities and activities during the base time period of the evaluation. The Vendor's primary emphasis will focus upon the thirteen (13) metropolitan statistical areas (US Bureau of the Census) within the State of Indiana as well as the central and regional campus network and service areas of each SEI.
7. Compare and evaluate the participation in procurement and contracting activities and opportunities for non-DBE's, non-MBE's and non-WBE's (including subcontractors) with respect to the State's experience and relative to its marketplace and geographic area, including separate comparisons and evaluations for each SEI.

8. Compare and evaluate the extent of DBE, MBE and WBE utilization in procurement and contracting opportunities based on the impact of the State's and each separate SEI's MBE and WBE policies and programs, and the impact outside of such MBE/WBE policies and programs. Such comparisons and evaluations should include not only the State's experience, and each SEI's separate experience, but also other information about other relevant marketplaces and geographic areas.
9. Investigate and describe prevailing practices in the public and private sectors that could lead to an underutilization of DBE, WBE and MBE, if such exists. If an underutilization is found to exist, document from statistical analysis, survey, anecdotal, and such other relevant and appropriate evidence the extent to which the current utilization of MBE and WBE is reflecting past discrimination (active and/or passive) on the part of the State, with such documentation prepared separately with respect to each SEI.
10. Using the latest US Bureau of Census data and other sources, assess and evaluate the effectiveness of the DBE, MBE, and WBE programs used by the State, and separately by each SEI, in addressing the potential underutilization of DBE, MBE or WBE firms in Indiana.
11. In connection with all of the foregoing, provide information, evaluation, and analysis of sufficient quality and relevance to satisfy applicable legal principles and requirements concerning non-race neutral and non-gender neutral goals or programs which may be based on the Vendor's report, recognizing the necessity for each SEI to satisfy such legal principles and requirements individually with respect to any such goals or programs which it may adopt.

**Specific work to be performed shall include:**

1. Review and evaluate contracting and procurement policies and procedures of the State, and separately of each SEI, including DBE, MBE, WBE programs and race-neutral and gender-neutral programs.
2. Review and evaluate current DBE/MBE/WBE reporting and information systems which would allow the State, and each SEI, to update periodically the DBE/MBE/WBE goals and programs and monitor progress.
3. Review and evaluate incentives to achieve goals that may include, but are not limited to:
  - a. Set-aside procedures;
  - b. Required subcontracting procedures with reasonable waiver provisions;
  - c. Application of bonus points, and;
  - d. Application of percentage points;

with such review and evaluation conducted and presented separately with respect to each SEI.

4. Provide the State with summary findings and key decision points during the process to assure that the requirements of the study are being met. Key findings and progress reports will also ensure that the State and each SEI receive timely information of any consequential conclusions or problem areas that may need to be addressed, including any adjustment to the scope of work that may be necessary.

**Expected Products. The Vendor shall produce the following products:**

1. Monthly progress report. On a monthly basis, the Vendor shall provide IDOA/INDOT/IGC/SEI's with a written report of the progress it has made toward completing its work plan. IDOA/INDOT/IGC/SEI's may require supporting documentation to verify progress.
2. Formal written report of evaluation and studies prepared consistently with the terms of this Scope of Services, including specific findings and recommendations with respect to each SEI. The Vendor shall produce a formal written report of its evaluation and studies covering all tasks in this Scope of Work. The report shall provide analysis of IDOA, INDOT, the IGC, and separate analytical reports for each of the seven (7) SEI's. The report shall explain Vendor's methodology and approach to the conduct of the evaluation and studies in addition to presenting its findings, conclusions, and recommendations. Graphic illustrations are desired where their use would clarify and illustrate findings and conclusions, but the text of the report must explain the findings and conclusions reached. The full final report will be presented as well as an executive summary. The Vendor shall provide the IDOA with twenty (20) copies of the final report and executive summary. The final report and executive summary will also be provided in both electronic format using the Microsoft Word 2000 platform and on compact disk. Vendor will furnish Twenty (20) duplicate compact disks for appropriate dissemination to the participating entities in this procurement – IDOA, INDOT, IGC and the seven (7) publicly funded institutions of higher education (SEI's).